



GP/6374

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In Re the Application of:

Alexander Michael Chagovetz

Serial No.: 09/886,313

Filed: June 21, 2001

Atty. File No.: 46641-01010

For: "METHODS FOR REAL-TIME
DETECTION AND QUANTIFICATION
OF NUCLEIC ACID SEQUENCES
USING FLUORESCENT PRIMERS"

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

) Group Art Unit: 1645

) Examiner: Unknown

) RESPONSE TO NOTICE OF NON-
) COMPLIANT AMENDMENT
) UNDER 37 CFR 1.121 AND RE-
) SUBMISSION OF PRELIMINARY
) AMENDMENT

JAN 24 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE OR FEE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE
ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C.
20231 ON Jan. 17, 2003

HOLME ROBERTS & OWEN LLP

BY: Rebecca L. Wilson

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated December 18, 2002, Applicant respectfully re-submits the Preliminary Amendment to include a marked-up version of the replacement paragraph amended as originally filed in the Preliminary Amendment. Applicant believes that the submission of the marked-up version of the replacement paragraph as required by 37 C.F.R. § 1.121(b)(iii) to supplement the Preliminary Amendment overcomes the objection raised in the Notice of Non-Compliant Amendment. A clean version of this replacement

paragraph is also included in compliance with 37 C.F.R. § 1.121 (b)(ii). The marked-up version and clean version are re-submitted to supplement the Preliminary Amendment.

Respectfully Submitted,
HOLME ROBERTS & OWEN LLP

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Date: 1/17/03